

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ELMER A. HERNANDEZ, ) NO. CV 08-07271 DDP (SS)  
Petitioner, ) ORDER ADOPTING FINDINGS,  
v. ) CONCLUSIONS AND RECOMMENDATIONS  
B. CURRY, Warden, ) OF UNITED STATES MAGISTRATE JUDGE  
Respondent. )  
\_\_\_\_\_  
)

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Petition, all of the records and files herein, and the Magistrate Judge's Report and Recommendation. The time for filing Objections to the Report and Recommendation has passed and no Objections have been received. Accordingly, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge.

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1 IT IS ORDERED THAT:

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3 1. The Petition is DENIED and Judgment shall be entered dismissing  
4 this action with prejudice.

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6 2. The Clerk shall serve copies of this Order and the Judgment  
7 herein by United States mail on Petitioner.

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9 DATED: August 19, 2009



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10 DEAN D. PREGERSON  
11 UNITED STATES DISTRICT JUDGE  
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